

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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A.A. m/n/g MILETTE MYERS,

Plaintiff,

-against-

CITY OF NEW YORK et. al.,

Defendants.

**STIPULATION AND
ORDER OF
CONFIDENTIALITY
CONCERNING
RECORDS FROM THE
DEPARTMENT OF
EDUCATION**

14 CV 00374 (ARR) (JMA)
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WHEREAS, defendants City of New York and Officer Natarsha O’Neil, intend to produce certain documents pursuant to Rule 26 of the Federal Rules of Civil Procedure that they deem to be confidential or otherwise inappropriate for public disclosure; and

WHEREAS, defendants will only produce these documents if appropriate protection for their confidentiality is assured; and

WHEREAS, good cause exists for the entry of an order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the attorneys for plaintiff and defendants, as follows:

1. As used herein, “Action” shall mean the pending action between plaintiff and defendants captioned A.A. m/n/g Myers v. City of New York, et al., 14 CV 00374 (ARR) (JMA).

2. “Confidential Materials” shall mean documents from the New York City Department of Education wherein students other than plaintiff are named, identified, discussed or otherwise referenced along with any personal information to the extent such information is protected by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; and (b) other

documents and information that may in good faith, during the pendency of this litigation, be designated "Confidential Material" by the defendants or the Court, except that such documents and information shall not be designated "Confidential Materials" to the extent that they are obtained by plaintiff pursuant to the New York Freedom of Information Law ("FOIL") or are otherwise publicly available.

3. The Court will retain jurisdiction over all persons subject to this Stipulation to the extent necessary to enforce any obligations arising hereunder or to impose sanctions for any contempt thereof. Additionally, the Court reserves the right, in its sole discretion, to modify this Stipulation and Order of Confidentiality at any time.

Dated: October 10, 2014

New York, New York

Richard P. Reyes, Esq.
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By: 
RICHARD P. REYES

By: 
JOSHUA J. LAX

SO ORDERED:

THE HONORABLE JOAN M. AZRACK
UNITED STATES MAGISTRATE JUDGE

DATED: _____